

Sent by e-mail to: Doug.Downey@ontario.ca

December 6, 2024

The Honourable Doug Downey
Attorney General
Ministry of Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, Ontario, M7A 2S9

Dear Attorney General Downey,

The Provincial Offences System in Ontario is not working for municipalities or people interacting with the justice system and has not worked for decades.

More than 2.2 million Part I and Part III *Provincial Offences Act* (POA) offences were laid in 2023 and adjudicated through municipally-operated POA courts. Ontarians are more likely to engage with the provincial offences court than they are to engage with a criminal court, and a well-functioning POA system is critical for a well-functioning justice system.

AMO wrote to you this summer calling for the provincial government to undertake a third-party review of the POA system to explore the following critical challenges with the system, including:

- **Significant unpaid fines** – there are nearly \$2 billion in unpaid POA fines across the province. This is \$2 billion that is not going back into municipal and provincial programs. Municipalities lack the tools and authority to collect these unpaid fines effectively.
- **Court backlogs** – many POA courts have significant backlogs due the priority being given to criminal courts in the scheduling of already limited judicial resources, which slows the processing of offences and further delays the collection of fines.
- **Limited interest in transitioning POA offences to administrative penalties** – the process to transition POA offences to administrative penalties is done ministry-by-ministry. Greater centralization of this work would help prevent contributing to the already overburdened court system.

These challenges are not new, and municipalities have been calling for action for years, but they have been exacerbated by broader fiscal challenges facing the municipal sector.

AMO, on behalf of municipalities across the province, is reiterating our call for a third-party review of the POA system as well as a broader conversation on the municipal-provincial fiscal framework that helps provide the services that Ontarians rely on every day.

The ROMA Conference is just over a month away. This is a topic that is important to many rural municipalities, and we anticipate that it will feature heavily in your delegation meetings. AMO and its members are ready and willing to collaborate on a third-party review and ensure that the POA system is working for the provincial government, municipalities, and Ontarians.

Sincerely,



Robin Jones
President, Association of Municipalities of Ontario

- cc. The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- David Corbett, Deputy Attorney General
- Martha Greenberg, Deputy Minister, Ministry of Municipal Affairs and Housing